

January 9, 2004

Docket Clerk, DOT Central Docket
Management Facility, Room PL-401
400 Seventh Street, SW
Washington, DC 20590-0001

RE: Docket Number FRA-2003-16271

Dear Docket Clerk:

American Short Line and Regional Railroad Association (ASLRRA) seeks a waiver of compliance from the requirements of the *Locomotive Safety Standards*, 49 CFR Part 229.23, which requires periodic inspection of all locomotives at intervals not to exceed ninety-two (92) days, and from the requirements 49 CFR Part 229.25, which identify items to be inspected during a periodic inspection.

The Brotherhood of Locomotive Engineers and Trainmen (BLET) is the representative of Locomotive Engineers and Trainmen working on many short line railroads. Locomotive Engineers and Trainmen on Class 1 railroads occasionally operate locomotives received in interchange with short lines, and often share the same track with operators of short lines railroads. The BLET objects to the granting of the requested waiver for the following reasons.

- BLET does not believe that the short line and regional railroads operate their locomotives in a significantly different environment from that of Class I railroads. Many short lines railroads operate twenty four hours a day, seven days a week, with long and heavy trains. Some over considerable distances.
- Many of the locomotives operated by short line railroads are older and therefore more likely to experience failure because of metal fatigue, wear and tear, and maintenance neglect.
- 49 CFR Part 229.25, among other items, includes requirements to inspect many safety critical components or systems. Among these are the following:
 1. All mechanical gauges used by the engineer to aid in the control or braking of the train or locomotive.
 2. All electrical devices and visible insulation.
 3. All cable connections between locomotives and jumpers that are designed to carry 600 volts or more shall be thoroughly cleaned, inspected, and tested for continuity.
 4. All automatic controls, alarms and protective devices.
 5. Steam pressure gauges and safety valves shall be set and tested.

6. The event recorder, if installed, shall be inspected, maintained, and tested.

Given the safety critical nature of this equipment, the BLET can see no safety justification for granting a waiver. Therefore, BLET requests the Federal Railroad Administration deny the ASLRRA request for waiver.

Sincerely,

Raymond A. Holmes,
Vice President and
National Legislative Representative